

Introduced by Senator AllenFebruary 16, 2016

An act to amend Section 56441 of, and to add Section 56440.1 to, the Education Code, relating to special education.

LEGISLATIVE COUNSEL'S DIGEST

SB 1071, as introduced, Allen. Special education funding: preschool-age individuals with exceptional needs.

Existing law requires a special education local plan area (SELPA) to submit to the Superintendent of Public Instruction information for providing special education and services to individuals with exceptional needs who are between the ages of three and five years old. Existing law requires these individuals to be served by the local educational agencies within each SELPA, as provided. Existing law establishes apportionments to SELPAs for special education programs to be calculated by the Superintendent, as provided.

This bill would establish a new formula for a permanent one-time total adjustment to the SELPA base funding calculation, to be calculated by the Superintendent, to support special education and related services as required under the individualized education program for each 3-and 4-year-old preschool individual with exceptional needs, upon an appropriation in the Budget Act, as provided.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 56440.1 is added to the Education Code,
2 to read:

1 56440.1. (a) Upon an appropriation in the Budget Act, there
2 shall be a permanent one-time total adjustment to the base funding
3 calculation established pursuant to Section 56836.08 to support
4 special education and related services as required under the
5 individualized education program for each three and four year old
6 preschool individual with exceptional needs.

7 (b) Commencing with the ____ fiscal year, for purposes of
8 computing an apportionment for each special education local plan
9 area, the Superintendent shall use the following formula:

10 (1) Divide the dollar amount, as appropriated in the Budget Act
11 pursuant to subdivision (a), by the December 2015 count of three
12 and four year old individuals with exceptional needs throughout
13 the state to establish a preschool rate per pupil.

14 (2) Multiply the amount computed in paragraph (1) by each
15 special education local plan area's December 2015 count of three
16 and four year old individuals with exceptional needs. The product
17 of this amount shall be added to each special education local plan
18 area's base calculation computed pursuant to subdivision (b) of
19 Section 56836.08 as a permanent adjustment.

20 SEC. 2. Section 56441 of the Education Code is amended to
21 read:

22 56441. (a) The Legislature hereby finds and declares that
23 early education programs for individuals with exceptional needs
24 between the ages of three and five years, inclusive, that provide
25 special education and related services within the typical
26 environment appropriate for young children, and include active
27 parent involvement, may do the following:

28 ~~(a)~~

29 (1) Significantly reduce the potential impact of any disabling
30 conditions.

31 ~~(b)~~

32 (2) Produce substantial gains in physical development, cognitive
33 development, language and speech development, psychosocial
34 development, and self-help skills development.

35 ~~(c)~~

36 (3) Help prevent the development of secondary disabling
37 conditions.

38 ~~(d)~~

39 (4) Reduce family stresses.

40 ~~(e)~~

1 (5) Reduce societal dependency and institutionalization.

2 ~~(f)~~

3 (6) Reduce the need for special class placement in special
4 education programs once a child reaches school age.

5 ~~(g)~~

6 (7) Save substantial costs to society and our schools.

7 *(b) The Legislature finds and declares that there has been a*
8 *significant increase in the population of preschool-age individuals*
9 *with exceptional needs, many of whom require intensive services*
10 *and that the adoption of a state funding mechanism for*
11 *preschool-age individuals with exceptional needs is necessary to*
12 *establish new or expand existing high-quality preschool programs*
13 *to ensure preschool-age individuals with exceptional needs are*
14 *provided the best chance for educational success in the most*
15 *cost-efficient manner.*